

August 12, 2013

Mayor Peterson opened the regular meeting at 6:34 pm. Mayor Peterson began the meeting with the Pledge of Allegiance, and cautioned residents that the Board would be going into executive session right away to discuss legal issues with the Police officers and attorneys. He said public comments would be heard after all business was taken care of.

Members present were Mayor Peterson, Trustees Busch, Bielec, Ianni and Lauer. Also present were Village Attorney Mark Boylan, Attorney for the Police Officers Andrew Fleming, Police Officers Nati, Retzlaff, Scanio, Biegaszewicz, and Okal. Several Village residents were also in attendance.

Attorney Mark Boylan informed the Board that before they could go into executive session to discuss the pending police lawsuit, they must first make a motion to accept the Police Union.

Motion was made by Trustee Ianni and seconded by Trustee Busch to move the following resolution; RESOLVED that the Village of Corfu recognizes and accepts the Civil Service Employees Association Inc. (CSEA) Local 1000 as the exclusive representative for the Village of Corfu Police Department employees for the purpose of collective bargaining for police officers.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson	X			
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	5			
RESULTS	PASSED			

Trustee Ianni mentioned that he disagreed with going into executive session to discuss police personnel issues without the Union representative present. Officer Nati pointed out that the lawsuit predates the Union and that the Attorney representing the Police officers was present.

Motion was made by Trustee Busch and seconded by Mayor Peterson to go into executive session to discuss police personnel issues at 6:40 pm. Those to be allowed into executive session were Attorney Boylan, Attorney Fleming, Police officers that were present and the Board of Trustees.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson	X			
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni		X		
Trustee Ken Lauer		X		
VOTE TOTAL	3	2		
RESULTS	PASSED			

Police officers left executive session at 6:54 pm and joined the public meeting.

Mayor Peterson left the meeting at 7:38 pm. Deputy Mayor Bielec took over the meeting.

Motion was made by Deputy Mayor Bielec and seconded by Trustee Busch to come out of executive session to discuss police personnel issues at 7:39 pm.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X

Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Motion was made by Trustee Ianni and seconded by Trustee Lauer to re-enter executive session to discuss communication from the Mayor received regarding other personnel issues at 7:40 pm. Attorney Boylan and Board members re-entered executive session.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Mayor Peterson returned to the meeting hall at 7:45 pm and began to read to the public the communication that the rest of the Board went into executive session to discuss. (See attached) Part way through the communication, Mayor Peterson said he couldn't finish, said that it is now public record and requested the clerk make copies for those who request one. Mayor Peterson left the meeting again at 7:48 pm.

Motion was made by Deputy Mayor Bielec and seconded by Trustee Lauer to come out of executive session at 7:55 pm.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Communications:

- 1) Rec'd ck#11436 in amt of \$6.36 from Accent Energy for Utility tax payment.
- 2) Rec'd ck#600617 in amt of \$4.15 from Granite Telecomm for Utility tax payment.
- 3) Rec'd ck# 301 in amt of \$20.00 from Matt Steinberg for shed permit.
- 4) Rec'd ck#8165 in amt of \$799.36 from Denise Beal for August health ins. Payment.
- 5) Rec'd ck#441897931 in amt of \$20.00 from Lexis Nexis for accident report.
- 6) Rec'd ck#3370 in amt of \$50.00 from Mary Barron for building permit for porch w/roof.
- 7) Rec'd notification from NYS DOT re: permits for signs along NYS highways.
- 8) Rec'd Thank you card from Charlie Lenhard for 2013-14 FY raise.
- 9) Rec'd WW facility operations report & DMR for June 2013 from Camden Group.
- 10) Rec'd ck#1009 in amt of \$24,015.00 from Judge O'Connor for July 2013 fines
- 11) Rec'd notification of next Chips reimb schedule w/total avail of \$23,832.48.
- 12) Rec'd info packet from GCEDC on new revolving loan funds available.
- 13) Rec'd determination of whether prop located at 4 Meadowbrook Ter is located in a flood zone from FEMA.
- 14) Rec'd letter from CSEA Union rep advising Village officials of representation of majority of Village police officers to become effective immediately.

- 15) Rec'd copy of administration contract from J. O'Connell & Assoc. for WQIP project.
- 16) Rec'd ck#27399 in amt of \$10.00 from Gary Schaff Atty for Tax search on 49 Longs Lane.
- 17) Rec'd letter from Mayor Peterson regarding Office procedure, Board and Attorney policies.
- 18) Rec'd FOIL letter from Pamela Ware on behalf of the Corfu Concerned Citizens Group to Mayor Peterson to be read into record.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve minutes of 6/24/13 Committee meeting

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve minutes of 7/8/13 Regular meeting.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Motion was made by Trustee Lauer and seconded by Trustee Ianni to approve minutes of 7/10/13 Special meeting

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Brief discussion took place regarding the progress report on the issue of the Police uniforms purchased for unhired officers. It was decided to table the issue until the rest of the Board has more information as to the status.

In a brief Maintenance report, it was discussed that a guard rail be located at the end of the new sidewalk on Allegheny and reflective tape be put on the guard rail. It was suggested to see if Chips funds could be used. Trustee Busch said he will also look into rail on Depot Street.

Clerk Thomas relayed a request from Court Clerk Pam Yasses for approval to attend the Clerk's

Conference in Albany October 6-9, 2013 at a cost for Lodging of \$716.00. Clerk Yasses had said that Judge O'Connor is okay with it.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve Court Clerk Pam Yasses to attend the Clerk's Conference in Albany October 6-9, 2013 at a cost for Lodging of \$716.00.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASSED			

Clerk Thomas also relayed a request from Village Prosecutor Robert Zickl for a 1% increase in his prosecution fees. Brief discussion took place regarding the average monthly fee.

Motion was made by Deputy Mayor Bielec and seconded by Trustee Lauer to approve a 1% increase in prosecution fees for Village Prosecutor Robert Zickl effective August 2013.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni		X		
Trustee Ken Lauer	X			
VOTE TOTAL	3	1		1
RESULTS	PASSED			

	Date	Gen. Fund Ckg	Sew. Fund Ckg	Cap. Proj Fund	True Gen Bal
Ckg Balance on hand	07/08/13	112,125.49	(4,312.42)	(39,927.23)	
Receipts to	08/12/13	75,890.74	10,255.88	0	
Balance	08/12/13	188,016.23	5,943.46	(39,927.23)	
Disbursements to	08/12/13	(29,851.23)	(3,303.61)		
Direct Ded Rarick cks	08/12/13	(46.33)			
Subtotal	08/12/13	158,118.67	2,639.85	(39,927.23)	
Payables	08/12/13	(7,642.93)	(4,807.05)	(2,180.50)	
Ckg Total	08/12/13	150,475.74	(2,167.20)	(42,107.73)	106,200.81
		General Fund	Capital Reserve	Sew. Repair Res	Total Savings
Savings Total	06/07/31	178,007.84	247,066.32	35,763.34	460,837.50
Interest Credit	06/28/13	21.66	30.06	4.35	56.07
Interest Credit	07/31/13	22.68	31.48	4.56	58.72
Balance		178,052.18	247,127.86	35,772.25	460,952.29

Vouchers: #216198 thru 216236

General Fund - Total Am't = \$37,494.16
 Sewer Fund - Total Am't = \$ 8,110.66

Capital Project Fund - Total Am't = \$ 2,180.50

Motion made by Trustee Busch and seconded by Trustee Lauer to pay general and sewer bills.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASS			

Motion made by Trustee Busch and seconded by Deputy Mayor Bielec to approve Treasurer's Report.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASS			

Question arose regarding whether to get someone else to replace the summer help Caleb Lang as he will be returning to school in about two weeks. It was decided to check with Mike and Jesse regarding the need for someone else. It was mentioned that they have cleaned the creek. They have also developed a time sheet to keep their hours separate for the sewer grant.

Clerk presented the Administration contract from J. O'Connell for the Sewer grant and requested approval to accept the Administration contract from J. O'Connell and to approve having Deputy Mayor Bielec sign the contract in the absence of the Mayor.

Motion was made by Trustee Ianni and seconded by Trustee Busch to move the following resolution: RESOLVED that the Village of Corfu Board of Trustees approves and accepts the Administration contract from J. O'Connell and approves having Deputy Mayor Bielec sign the contract in the absence of the Mayor.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASS			

Question arose as to whether we would need to submit a building permit for new building at the Sewer complex for the Grant. It was decided to contact Code Enforcement officer John Good for his recommendation.

Trustee Ianni mentioned that he did not believe that the Board officially accepted the resignation of Officer John Armitage.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to accept the resignation of Officer John Armitage.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASS			

It was mentioned that the ad hoc Concerned Citizens Group intends to put out a letter trying to get more support for the Winterfest and an upcoming 2018 celebration to commemorate the Village's Sesquicentennial. Trustee Ianni said he would be glad to act as a liaison between the group and the Board.

Mention was made of the Freedom Tribute Wall that will be on display at the Town Park June 11-15, 2014. It is expected to be quite a large event.

It was questioned how the Village Board plans to respond to the Mayor's recent letter to the Clerks and Board. Deputy Mayor Bielec said the Board can't really comment on it at this point.

Motion was made by Deputy Mayor Bielec and seconded by Trustee Busch to adjourn the meeting.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	4			1
RESULTS	PASS			

Meeting was adjourned at 8:28 pm.

Sandra Thomas
Clerk Treasurer

Pamela J Ware
52 Longs Lane
Corfu, NY 14036

Mayor Ralph Peterson
Village of Corfu
116 Main St.
Corfu, NY 14036

August 6, 2013

Dear Mayor Peterson,

Documentation has been provided to the ad hoc Corfu Concerned Citizens group demonstrating that you have been and continue to conduct Village of Corfu official business using your personal email account ralph1355@rochester.rr.com and via your personal cell phone 716-308-1211 .

Therefore, under the provisions of:

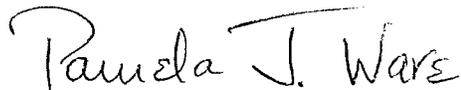
PUBLIC OFFICERS LAW, ARTICLE 6 / SECTIONS 84-90 / FREEDOM OF INFORMATION LAW,

on behalf of the Corfu Concerned Citizens' group, we are hereby requesting copies of all correspondence using the above-referenced personal email account and personal phone account starting from November 7, 2005 when you were first sworn in as a Village of Corfu trustee as follows:

1. Specifically concerning the matter of Judge Robert Alexander and court clerks Brandi Watts / Alexander and Pamela Yasses, and
2. Specifically concerning discrepancies in traffic tickets (also commonly known as the "missing 150 tickets"), and
3. Between and among other Village of Corfu elected public officials, and
4. Specifically to and/or from Chiacchia & Fleming, LLP concerning members of the Corfu Police Department, and
5. Specifically to and/or from Genesee County or NY State Civil Service concerning the Village of Corfu Police officers, and
6. Specifically concerning the pre-suit action by members of the Corfu police department officers currently pending against the Village, and
7. Your changing of the job description of the Police Administrator without board approval, and

8. All communications / correspondence with Floss Insurance Company concerning the Village of Corfu, and
9. Your hiring of police officers for the Village of Corfu without board approval and your purchasing of police equipment and uniforms without board approval, and
10. Specifically all correspondence concerning any members of the past and present Village of Corfu police department, and
11. Specifically all correspondence concerning the village clerks Sandra S. Thomas and Denise Beal, and
12. Correspondence to and / or from any parties concerning the Stop-DUI grant investigation, and
13. Copies of all cell phone statements for the above-referenced personal phone account that itemizes the time, day, date, and numbers called or calls received.

Respectfully,

A handwritten signature in cursive script that reads "Pamela J. Ware". The signature is written in black ink and is positioned below the word "Respectfully,".

Pamela J Ware

Other members are:

Jenny McMartin
Nicholas Skeet
Al Graham
Debbie Graham
Ryan Graham
Jean Marsick
Todd Skeet
Lois Ingalsbe
Mary Ellen O'Connor
Richard DeGrood
Doris Matteson
Sandra Szumigala

Cc: Clerk, Village of Corfu
File

August 8, 2013

To: The Village of Corfu Board of Trustees
From: Mayor Ralph Peterson
Subject: Chairing and control of Board Meetings

As Mayor and in accordance with Village, Public Officers and General Municipality Law I am here by giving notice to the entire Trustee Board that as the duly elected Mayor and Chief Executive Officer of the Village of Corfu, I will be chairing and controlling the agenda of the Village Board Meetings as prescribed by law and past practice.

That means that all agenda item must be made to me in writing no later than four days before a Board meeting and delineate the specific issue and any supporting documents for my perusal and approval to be on the agenda. This was past practice by former Mayors and will be the practice of my Administration as Chief Executive of the Village.

Effective immediately, I am reestablishing the past practice under the past and previous administrations where any and all requests to expend tax payer money for consultation with the Village's private contracted attorney must be approved by the Mayor who will bring the issue and request to the Trustee Board for a vote of approval. Many of the issues that tax payer funds has been sent for may have had alternate non tax payer fund expenditures as remedies, before we needed to consult the private case by case hired village attorney. Additionally, the Attorney himself has acknowledged that he is a private entity that is hired on the case-by-case need, only after approval by the Mayor and the Board as a whole. He further has acknowledged that no individual person, the Mayor, or individual Trustee, but only the Mayor and collective Board of Trustees may assign him tasks. This means that as in he past only the Mayor and Board as a whole by majority vote may approve him researching a specific issue or to act upon a matter for the Village. This will be strictly adhered to and I remind everyone that anyone who causes taxpayer funds to be spent thereby causing the Village to have a fiscal or other liability with out a majority vote of the Mayor and Board in the affirmative can be charged with a Misdemeanor. In fact the law states that causing such a liability "is a Misdemeanor." By adhering to this practice, not only will tax payer funds not be wasted on issues with non attorney alternatives, but accountability and assurance that the expenditure of tax payer funds on legal fees will follow the law and be approved and accounted for on the official record of the Village.

Village Law, General Municipal Law, Public Officers Law and CPCR all clearly state, " The Mayor is the Chief Executive Officer of the Village and is lawfully responsible for exercising supervision of the Police and all subordinate Officers of the Village. It clearly delineates that the Mayor and Mayor alone has legal responsibility for supervision of the Village Clerks, both Village Clerk and Deputy Clerk if there is one. " More over, the Village Clerk performs his/her duties at the direction and control of the Mayor." "The mayor not the Board nor individual Trustee has power to supervise the day to day activities of the clerk."

Effective immediately, any interference by any Trustee Board Member or the Trustee Board as a whole will result in legal action against the violating person or Board as a whole. This includes any attempt by the Trustee Board to pass resolutions attempting to usurp the Mayors legal power and responsibility to supervise the Village Clerks. I there fore demand that any and all previous passed by the Trustee Board that violate these laws be rescinded immediately. That includes the unlawful Board action that was passed that

restricted my entering the Village Office and or supervising the Village Clerks. Failure to rescind these unlawful mandates will force me to take legal action against any individual Trustee or the Board as a whole and pursue a cease and desist order in an Article 78.

Additionally, effective immediately, the Village Office door be closed and secured and anyone other than employees will not be allowed into the Office. Any official transactions shall take place through the service window. A record of official and unofficial transactions, including the name and contact information of anyone coming to the Office for business of any kind will be documented including the type of business or subject of any transaction with be established both by a hard copy record as well as on the office computer by the Village clerk or Deputy Clerk in the absence of the Clerk. The mayor will be given a copy of this log on a daily basis. A log of telephone and email contacts will also be established using the same criteria as anyone coming to the office and the Mayor will receive a copy of this log on a daily basis.

Additionally when the Clerks leave the office for any reason and there is no one in the Office, the service window and door will be closed and secured.

I will be establishing a separate office for the Mayor with in the main office and will be scheduling meetings with the public by appointment and for official Mayoral Business.

Before anyone is contacted about village business, the Mayor as Supervisor of the Office will be appraised and approve the contact. This includes approval of contacting the Village Attorney or other Officials of the Village, vendors or companies doing business with the Village.

As Village Mayor and in my Official Capacity as Mayor, I am hereby rescinding any and all department head appointments and will appoint Trustees to handle individual departments or issues with in a department, as I deem appropriate.

It is my intention to work with any Trustee who is willing to objectively work with me as Mayor. However I will no longer be subjected to attacks by Trustees or those attending Board meetings who are not elected Trustees. I will address actions that subvert my Mayoral Powers, authority and Duties as the Chief Executive of the Village for which the voters of the Village elected me objectively, however I will pursue legal recourse for any action that attempt or usurp by authority, powers and responsibilities as Mayor.

I am reiterating, the Board meetings are not public forums for public participation or comment. The Mayor and Trustees were elected to address Village issues and from now on that will be the standard.

Lastly, It is my intention as Mayor and Chief Executive Officer of the Executive Branch of Village Government, to objectively evaluate each and every facet of the village government, departments and committees and issues affecting Village residents. I will do everything in my power to update and make the Village as efficient and fiscally responsible as possible. I will do this with out personal agenda or arbitrarily, however any area found lacking or in need of change to accomplish these goals will be addressed and what ever change is needed will happen. I was elected to be the Mayor and Chief Executive Officer of the Village and I intend to diligently pursue my legal responsibility, authority, and power as prescribed by law.

Mayor Ralph T. Peterson